



## Council Report

**To:** The Honorable Mayor and City Council

**From:** Maxine Calloway, Esq., AICP, Director of Community Planning & Development

**Date:** July 9, 2013

**RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY ADMINISTRATION TO COLLECT DATA, PREPARE A FORMAL APPLICATION FOR SUBMISSION TO MIAMI-DADE COUNTY AND OBTAIN THE REQUIRED PETITIONS TO ANNEX INTO THE CITY OF NORTH MIAMI, AN AREA KNOWN AS THE 'BISCAYNE CORRIDOR ANNEXATION AREA', BORDERED ON THE NORTH-SIDE BY NORTHEAST 121ST STREET, BORDERED ON THE EAST-SIDE BY BISCAYNE BOULEVARD (INCLUDING THOSE UNINCORPORATED AREAS OF EAST OF BISCAYNE BOULEVARD AND SOUTH OF NORTH BAYSHORE DRIVE, ENDING EAST AT BISCAYNE BOULEVARD), BORDERED ON THE SOUTH-SIDE BY NORTHEAST 114TH STREET (EAST OF BISCAYNE BOULEVARD) AND WESTWARD ALONG NORTHEAST 116TH STREET (WEST OF BISCAYNE BOULEVARD) ALONG NORTHEAST 117TH STREET (WEST OF NORTHEAST 13TH AVENUE), AND BORDERED ON WEST-SIDE BY THE FLORIDA EAST COAST RAILWAY (FEC); PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.**

### **RECOMMENDATION**

That the Mayor and Council approve the Resolution directing staff to prepare the necessary annexation application and to expend the resources required to annex the area known as the *Biscayne Corridor Annexation Area*, bordered on the north-side by Northeast 121<sup>st</sup> Street, bordered on the east-side by Biscayne Boulevard (including those unincorporated areas of east of Biscayne Boulevard and south of North Bayshore Drive, ending east at Biscayne Boulevard), bordered on the south-side by Northeast 114<sup>th</sup> Street (east of Biscayne Boulevard) and westward along Northeast 116<sup>th</sup> Street (west of Biscayne Boulevard) along Northeast 117<sup>th</sup> Street (west of Northeast 13<sup>th</sup> Avenue), and bordered on west-side by the Florida East Coast Railway (FEC), in accordance with the Boundary Change Procedures of Article 1, Section 20-3 of the Miami Dade County Code of Ordinances.

### **BACKGROUND**

Policy 8.1.7 of the City's Comprehensive Plan encourages the City to actively pursue development and growth management opportunities through several mechanisms including but not limited to exploring annexations where necessary. The Miami Dade County Code establishes the procedure by which a governing body of a municipality may initiate a boundary change to the municipality's existing boundary.

Miami Dade County has established an overall plan which includes the eventual incorporation of all currently unincorporated land areas within the County, which would relieve the County from the costs of providing services to the subject area. In addition, annexation of the subject area would simultaneously increase the City's tax base.

The subject area is comprised of a total of **141.49** acres which includes over **45% residential use (a total of 997 residential units)** and **55% non residential use. The subject area is also bordered by the City of North Miami on the north side.** In accordance with Section 20-3, Article 1 of the Miami Dade County Code of Ordinances, in initiating a boundary change, the City would be required to submit, certified copies of a resolution requesting the proposed change, a complete report which can include, but is not limited to, information on the proposed zoning and land use in the area; a list of services; timetable for supplying the services; financing of services; tax load on the area; and assessment of the present and future importance to the economy; **Since it is determined that the subject area currently has more than two hundred and fifty(250) resident electors (with over 1387 registered voters), then petitions from 25%+1 of the total number of registered voters ( or 347 petitions) is required. Additionally since the area is more than fifty (50) percent developed residential, a vote of a majority of the resident electors will be required to approve any boundary change.**

### **CONCLUSION**

Staff is of the opinion that the proposed annexation is in keeping with the goals, objectives and policies of the City's Comprehensive plan in that it extends the southern boundary of the City and provides greater commercial frontage on Biscayne Boulevard. The proposed annexation would also help to enhance the City's fiscal and economic base (See attached fiscal report); a critical objective for a City approaching build out with little vacant developable land remaining. With the Miami-Dade government center being located 20 miles away and the City of North Miami's City Hall located only 3 miles away, the City believes it is more practical to annex the

subject area within its boundary. The future residents in turn will have readily available access to North Miami's quality services.

City Administration would therefore require the authorization of the Mayor and Council to proceed with expending the resources to collect the necessary petitions and compile an annexation report with notification mailed to property owners within 600 feet of the subject area prior to the adoption of the required resolution supporting a formal application to the County.

### **Attachments**

- 1) Map of Proposed Annexation Area For Biscayne Corridor Area
- 2) Resolution

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AUTHORIZING THE CITY ADMINISTRATION TO COLLECT DATA, PREPARE A FORMAL APPLICATION FOR SUBMISSION TO MIAMI-DADE COUNTY AND OBTAIN THE REQUIRED PETITIONS TO ANNEX INTO THE CITY OF NORTH MIAMI, AN AREA KNOWN AS THE 'BISCAYNE CORRIDOR ANNEXATION AREA', BORDERED ON THE NORTH-SIDE BY NORTHEAST 121ST STREET, ON THE EAST-SIDE BY BISCAYNE BOULEVARD (INCLUDING THOSE UNINCORPORATED AREAS OF EAST OF BISCAYNE BOULEVARD AND SOUTH OF NORTH BAYSHORE DRIVE, ENDING EAST AT BISCAYNE BOULEVARD), ON THE SOUTH-SIDE BY NORTHEAST 114TH STREET (EAST OF BISCAYNE BOULEVARD) AND WESTWARD ALONG NORTHEAST 116TH STREET (WEST OF BISCAYNE BOULEVARD) ALONG NORTHEAST 117TH STREET (WEST OF NORTHEAST 13TH AVENUE), AND ON THE WEST-SIDE BY THE FLORIDA EAST COAST RAILWAY (FEC); PROVIDING FOR AN EFFECTIVE DATE AND ALL OTHER PURPOSES.**

**WHEREAS**, Policy 8.1.7 of the City of North Miami ("City") Comprehensive Plan encourages the City to actively pursue development and growth management opportunities through several mechanisms including, but not limited to, the potential of annexations where necessary; and

**WHEREAS**, the Mayor and City Council desire to annex the subject area known the *Biscayne Corridor Annexation Area*, bordered on the north-side by Northeast 121<sup>st</sup> Street, on the east-side by Biscayne Boulevard (including those unincorporated areas of east of Biscayne Boulevard and south of North Bayshore Drive, ending east at Biscayne Boulevard), on the south-side by Northeast 114<sup>th</sup> Street (east of Biscayne Boulevard) and westward along Northeast 116<sup>th</sup> Street (west of Biscayne Boulevard) along Northeast 117<sup>th</sup> Street (west of Northeast 13<sup>th</sup> Avenue), and on the west-side by the Florida East Coast Railway (FEC), as specifically delineated in the attached "Exhibit A" ("Subject Area"); and

**WHEREAS**, City administration seeks authorization from the Mayor and City Council to proceed with a formal application for annexation and to obtain the required petitions to annex the Subject Area into the City, in accordance with the requirements of Section 20-3 of the Miami-Dade County Code of Ordinances; and

WHEREAS, the Mayor and City Council have considered the request by City administration and find that the proposed annexation is in the best interest of the City and that it satisfies the goals, objectives and policies of the Comprehensive Plan.

**NOW THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA:**

**Section 1. Authorization of the City Administration.** The Mayor and City Council of the City of North Miami, Florida, hereby authorize the City administration to collect data, prepare a formal application for submission to Miami-Dade County and obtain the required petitions to annex into the City of North Miami, an area known as the 'Biscayne Corridor Annexation Area', bordered on the north-side by Northeast 121<sup>st</sup> Street, on the east-side by Biscayne Boulevard (including those unincorporated areas of east of Biscayne Boulevard and south of North Bayshore Drive, ending east at Biscayne Boulevard), on the south-side by Northeast 114<sup>th</sup> Street (east of Biscayne Boulevard) and westward along Northeast 116<sup>th</sup> Street (west of Biscayne Boulevard) along Northeast 117<sup>th</sup> Street (west of Northeast 13<sup>th</sup> Avenue), and on the west-side by the Florida East Coast Railway (FEC), as specifically delineated in the attached "Exhibit A" ; and

**Section 2. Effective Date.** This Resolution shall become effective immediately upon adoption.

**PASSED AND ADOPTED** by a \_\_\_\_\_ vote of the Mayor and City Council of the City of North Miami, Florida, this \_\_\_\_\_ day of July, 2013.

\_\_\_\_\_  
LUCIE M. TONDREAU  
MAYOR

ATTEST:

\_\_\_\_\_  
MICHAEL A. ETIENNE, ESQ.  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

\_\_\_\_\_  
REGINE M. MONESTIME  
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

**Vote:**

Mayor Lucie M. Tondreau	_____ (Yes)	_____ (No)
Vice Mayor Marie Erlande Steril	_____ (Yes)	_____ (No)
Councilperson Scott Galvin	_____ (Yes)	_____ (No)
Councilperson Carol F. Keys, Esq.	_____ (Yes)	_____ (No)
Councilperson Philippe Bien-Aime	_____ (Yes)	_____ (No)

# Possible Annexation: Biscayne Corridor

